UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

<u>MEMORANDUM ADOPTING REPORT AND</u> RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (the "Report") in this action, this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On June 7, 2025, the Report of the Magistrate Judge, (Dkt. #20), was entered containing proposed findings of fact and recommendations that this civil action filed pursuant to 42 U.S.C. § 1983 be dismissed with prejudice as to the refiling of another *in forma pauperis* lawsuit raising the same claims as this action, but without prejudice as to the refiling of this lawsuit without seeking *in forma pauperis* status and upon payment of the full \$405.00 filing fee.

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is therefore **ORDERED** that this civil action filed pursuant to 42 U.S.C. § 1983 is **DISMISSED** with **prejudice** as to the refiling of another *in* forma pauperis lawsuit raising the same claims as this action, but **DISMISSED**

without prejudice as to the refiling of this lawsuit without seeking in forma pauperis status and upon payment of the full \$405.00 filing fee.

So ORDERED and SIGNED this 27th day of June, 2025.

SEAN D. JORDAN

UNITED STATES DISTRICT JUDGE